



### **BACKGROUND**

6. Non-party Sister Mary Louise Donnelly was the author of several literary works (the “Literary Works”), some of which are the subject of registrations issued by the United States Copyright Office.

7. Sister Donnelly died on September 16, 2008 and her will bequeathed all right, title and interest in her Literary Works to non-party Bishop Mark Seitz.

8. On or about January 12, 2016, Bishop Seitz conveyed all of his right, title and interest in and to the Literary Works, including any and all registrations therefor, to Plaintiff.

9. The registered Literary Works owned by Plaintiff are as follows (collectively, the “Registered Works”):

<b>Name of Work</b>	<b>Registration Number</b>
Arnold Livers Family in America (Revised edition)	TX0007143298
Beaven, Blanford, Clarkson, Mitchell families of Maryland, Kentucky, USA	TX0004508629
Buckman family of Maryland and Kentucky	TX0000714767
Buckman family of Maryland, Kentucky, Missouri, USA	TX0004508628
Charles County, Maryland: my colonial relations, plus others	TXU000979693
Colonial settlers, St. Clement’s Bay, 1634-1780, St. Mary’s County, Maryland	TX0004493987
Craycrofts of Maryland and Kentucky kin	TX0000947871
Early settlers of St. Clement’s Bay: 1634-1780: St. Mary’s County, Maryland	TX0004141596
Edward Willet, colonial Maryland pewterer, county clerk, plantation owner: his ancestors and descendants	TX0005023309
Gardiner descendants, plus Hatton family and Weire family histories	TXU001182703
Genealogy: a step-by-step approach for beginners, ages 10-80	TX0001165531

Hayden / Rapier and allied families	TXU000493088
Imprints, 1608-1980, Hamilton, allied families	TX0000714765
Jamestown, southern Virginia counties, Northampton County, North Carolina, then westward, HART and cousins galore	TX0006559657
Major William Boarman, Charles County, Maryland (1630-1709); his descendants—Boarman/Bowman, and allied families	TXU000489380
More colonial families of Maryland: pioneers of Westmoreland County, Virginia and Kentucky	TX0005716057
Rapier, Hayden, and allied families, colonial Maryland and Kentucky / by Sister Mary Louise Donnelly; Wi[lf]rid Vollmer Worland, illustrator	TX0000714766
St. Joseph's Catholic Community, Waxahachie, Texas: our parish history of 125 years, 1874-1999	TX0004916750
Texas trails of our Tollett family / by Mary Louise Donnelly	TX0003787679
Thomas Hill and Rebecca Miles, ancestors and descendants	TX0001479444
Trappist, Kentucky: Pottinger's Settlement and Willett's Settlement	TXU001281001
Willett family of Maryland: colonial pewterers, Kentucky pioneers	TX0001113819
William Elder	TX0006525386
William Elder, ancestors and descendants	TX0001828752

10. Defendant offers literary works for sale to the general public through, *inter alia*, public marketplaces such as <<www.amazon.com>>>.

11. These websites are viewable in this District and, upon information and belief, individuals in this District have purchased Defendant's products online and have had them delivered to their homes in this District.

12. Plaintiff has not conveyed any right or permission to Defendant to sell, market, reproduce or otherwise exploit the Registered Works.

13. Upon information and belief, Defendant has reproduced, exploited, copied, sold, and/or distributed to the public or all of the Registered Works without authorization or consent and threatens to continue the same, said Registered Works including at least the following: Charles County, Maryland: My Colonial Relations Plus Others; Colonial Settlers, St. Clement's Bay, 1634-1780, St. Mary's County, Maryland; More Colonial Families of Maryland: Pioneers of Westmoreland County, Virginia and Kentucky; and/or William Elder, Ancestors and Descendants.

**COUNT I**  
**COPYRIGHT INFRINGEMENT**

14. Plaintiff re-alleges and incorporates by reference the allegations contained in each preceding paragraph.

15. Defendant has infringed Plaintiff's copyright by copying, reproducing, distributing, publicly displaying and/or making derivative works of Plaintiff's Registered Works without permission from Plaintiff.

16. By reason of Defendant's infringement and threatened infringement, Plaintiff has sustained and will continue to sustain injury, loss, and damage in an amount to be determined at trial.

17. Plaintiff is entitled to recover from Defendant the damages sustained as a result of Defendant's copyright infringement in an amount to be proven at trial. Plaintiff is further entitled to recover those gains, profits, and advantages that Defendant has obtained as a result of the aforementioned infringement in an amount to be proven at trial.

18. In the alternative, Plaintiff is entitled to recover statutory damages pursuant to 17 U.S.C. §504.

19. Upon information and belief, Defendant's infringement has been willful thereby entitling Plaintiff to exemplary damages and an award of attorneys' fees.

**PRAYER FOR RELIEF**

Plaintiff requests the Court enter judgment in her favor as follows:

- A. Judgment be entered in favor of Plaintiff against Defendant;
- B. Defendant be ordered to pay actual or statutory damages;
- C. Defendant be ordered to forfeit all profits realized by its infringement, as well as Plaintiff's costs and reasonable attorneys' fees; and
- D. Plaintiff be granted all other legal and equitable relief as this Court may deem appropriate and just.

Respectfully submitted,

*s/Zachary A.P. Oubre/*

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**JURY TRIAL DEMANDED  
ATTORNEY'S LIEN CLAIMED**